

REMARKS

Claims 1-12 are pending in the application. The Drawings are objected to. The Specification is objected to. Claims 1-12 are rejected under 35 U.S.C. §103(a). Applicants address the Examiner's objections to the Drawings and Specification below. Applicants respectfully traverse these rejections for at least the reasons below and respectfully request the Examiner to reconsider and withdraw these rejections.

I. OBJECTIONS TO THE DRAWINGS:

The Examiner has objected to Figure 4 for including a reference not mentioned in the description. Paper No. 3, page 2. In particular, the Examiner asserts that element 408 ("PM_RXFCSEGEN") in Figure 4 is not mentioned in the Specification. Paper No. 3, page 2. Applicants respectfully direct the Examiner's attention to page 7, lines 5-8 of the Specification which discusses element 408. Applicants respectfully request the Examiner to withdraw the objection to Figure 4.

II. OBJECTIONS TO THE SPECIFICATION:

The Examiner has objected to the Specification because the Specification is not line numbered. Paper No. 3, page 2. Applicants performed a search in the M.P.E.P. to identify a section that states that the Specification must be line numbered. Applicants were unable to identify such a section. If the Examiner can provide Applicants with a section in the M.P.E.P. that states that the Specification must be line numbered, Applicants will subsequently provide a Specification that is line numbered. If the Examiner cannot cite such a section in the M.P.E.P., then Applicants respectfully request the Examiner to withdraw this objection to the Specification.

The Examiner has further objected to the Specification for including a typographical mistake on page 6, line 16. Paper No. 3, page 2. The Examiner has pointed out that the term "PM_RXFCSEGE" should be "PM_RXFCSEGEN" as

indicated in Figure 4. Paper No. 3, page 2. Applicants have amended the Specification to replace the term "PM_RXFCSGE" with "PM_RXFCSGEN" as indicated above. Accordingly, Applicants respectfully request the Examiner to withdraw this objection to the Specification.

The Examiner has further requested Applicants to provide clarification on Figure 4 regarding "the output signal from element 408." Paper No. 3, page 3. Applicants note that in Figure 4 there is no signal being outputted from element 408. Applicants respectfully request the Examiner to clarify the request to provide clarification on element 408 in Figure 4. Accordingly, Applicants respectfully request the Examiner to withdraw this objection to the Specification.

III. REJECTIONS UNDER 35 U.S.C. §103(a):

The Examiner has rejected claims 1-12 under 35 U.S.C. § 103(a) as being unpatentable over Acharya (U.S. Patent No. 6,781,989) in view of Szczepanek (U.S. Patent No. 6,414,956). Paper No. 3, page 3. The reference Acharya, which only qualifies as prior art under 35 U.S.C. § 102(e), does not preclude patentability under 35 U.S.C. §103 since Acharya and the claimed invention in claims 1-12 were at the time the invention was made, subject to an obligation of assignment to the same person, which in this case was Advanced Micro Devices, Inc. Thus, Acharya is disqualified as being used as a prior art reference under 35 U.S.C. §103(c). Consequently, the rejections of claims 1-12 are moot.

IV. CONCLUSION

As a result of the foregoing, it is asserted by Applicants that claims 1-12 in the Application are in condition for allowance, and Applicants respectfully request an allowance of such claims. Applicants respectfully request that the Examiner call Applicants' attorney at the below listed number if the Examiner believes that such a discussion would be helpful in resolving any remaining issues.

Respectfully submitted,

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